

REMARKS

Claims 1-3 and 6-17 are pending. Claims 1-3 have been amended, claims 4 and 5 have been canceled, and new claims 6-17 have been added to recite additional features of Applicant's invention.

Reconsideration of the application is respectfully requested for the following reasons.

In the Office Action, the Examiner objected to drawings on grounds that Figure 1 does not show reference numeral 13 disclosed in the specification. In lieu of amending the drawings, the specification has been amended to delete reference numeral 13. It is submitted that Figure 1 now shows all the references numerals presently disclosed in the specification.

The Examiner objected to claims 1-4 for failing to provide an antecedent basis for various terms. Claims 1-3 have been amended to provide an antecedent basis for these terms and claim 4 has been canceled.

The Examiner rejected claims 1-4 under 35 U.S.C. §102(e) for being anticipated by the Muller patent. Applicants traverse this rejection for the following reasons.

Claim 1 recites a radio telephone system including a main body and a wireless handset disposed at the main body. The system includes a power failure detector which detects a failure of power to the main body according to a direct current power state, a power switching unit which automatically switches battery power of a wireless handset to an internal circuit of the main body based on an output signal from the power failure detector indicative of the power failure, and a battery power intercepting unit, in the wireless handset, which intercepts the

battery power of the wireless handset from an internal circuit of the wireless handset to the internal circuit of the main body in response to the output signal from the power failure detector.

In order to anticipate claim 1, the Muller patent must disclose every feature recited in that claim, either explicitly or inherently. *In re Schreiber*, 44 USPQ.2d 1429, 1431 (Fed. Cir. 1997).

The Muller patent discloses two methods for powering a communication system. Both methods involve using the power supply of a wireless terminal to power a base unit when a main power supply of the base unit fails. The methods differ in the way in which the power failure is detected. In the first method, the user realizes a power failure has occurred and then manually connects a cable 27 between the wireless terminal 2 and the base unit 1. (Figs. 1A-1D). Connection of this cable causes power to flow from electrochemical energy storage means 6 in the terminal to power the base unit. In the second method, a detector within the base unit automatically detects the power failure. A switch 23 is then activated to connect the base unit to the storage means 6 of the wireless terminal.

Claim 1 is different from the Muller patent in at least two respects. In discussing these differences, it is initially noted that claim 1 recites a power switching unit which automatically switches battery power of a wireless handset to an internal circuit of the main body. From the foregoing discussion, it is clear that only the Fig. 2 system of Muller performs an automatic switching function. (The systems shown in Figs. 1A-1B are manually controlled systems and thus

are distinguishable from the claimed invention on this basis as well as for the reasons noted below).

First, claim 1 recites a battery power intercepting unit located in the wireless handset. The intercepting function performed by this unit involves intercepting battery power of the wireless handset from an internal circuit of the wireless handset to the internal circuit of the main body. (See, for example, unit 100 in Fig. 3 of Applicant's drawings). The intercepting unit thus controls, in association with the automatic power switching unit in the main body, the manner in which the signal processing circuits of a wireless handset are powered. During a charging operation, the intercepting unit allows the signal processing circuits to be powered from a supply of the main body. However, when a power failure is detected the intercepting unit directs power from the handset battery into the signal processing circuits of the main body.

The Muller patent does not disclose these features. The wireless terminal 2 of Muller includes an electrochemical energy storage means 6 and contact terminals 25 and 26 which mate with terminals 23 and 24 on the base unit. (See Fig. 2). Muller does not disclose that terminal 2 includes any type of battery power intercepting unit located in its wireless handset, let alone one that performs the function of intercepting battery power of the wireless handset from an internal circuit of the wireless handset to the internal circuit of the main body. This feature of claim 1 is completely omitted from the wireless terminal of Muller.

Second, claim 1 recites that the battery power intercepting unit performs its intercepting function in response to the output signal from the power failure detector. The Muller system

includes a current/voltage sensor 462 in its base unit which detects a power failure. However, Muller does not disclose inputting a signal from this sensor into wireless terminal 2, for the purposes of activating a power intercepting unit within the terminal for powering the base unit from a terminal battery.

The foregoing differences therefore make clear that instead of using an internal power intercepting unit, the wireless terminal of Muller is essentially a passive system when it comes to the internal management of energy flowing into and out of its storage means 6. That is, when switch 23 is set to a first position, a main power supply is allowed to flow into terminals 25 and 26 of the terminal to thereby charge storage means 6. On the other hand, when switch 23 is switched to a second position, the flow of power is reversed, i.e., energy from storage means 6 is allowed to flow into the signal processing circuits of the base unit. There is no unit in the wireless handset of Muller which performs the intercepting function recited in claim 1, either alone or based on a signal output from a power failure detector located in a main body as is further recited in claim 1.

Because the Muller patent does not disclose all the features of claim 1, it is respectfully submitted that the Muller patent cannot anticipate this claim. Applicant further submits that the foregoing differences are sufficient to render claim 1 and its dependent claims non-obvious and thus patentable over Muller.

Claim 3 recites a radio telephone system including a main body and a wireless handset disposed at the main body. The system, *inter alia*, includes: a first switch which automatically

switches power of the battery to an internal circuit of the main body in response to a signal output from the power failure detector, and a second switch in the wireless terminal which automatically prevents power of the battery from being input into an internal circuit of the wireless handset in response to the signal output from the power failure detector. From the foregoing discussion, it is clear that the Muller patent does not disclose the second switch and thus cannot anticipate claim 3. Applicant further submits that these differences are sufficient to render claim 3 non-obvious over the Muller patent.

The Examiner rejected claim 5 under 35 U.S.C. §103(a) for being obvious. Claim 5 has been canceled, thereby rendering this rejection moot.

New claims 6-17 have been added to the application.

Claim 6 recites a communications system which includes a first terminal, a second terminal, and a base station. The base station includes (a) a detector which detects failure of power to the base station, (b) a switch which connects a power supply of the first terminal to the base station in response to a power failure signal output from the detector, and (c) a processor which manages communications between the second terminal and the base station while the base station receives power from the power supply of the first terminal.

Claim 7 recites that at least one of the first terminal and the second terminal is a wireless terminal.

Claim 8 recites that the first terminal and the second terminal are wireless terminals.

Claim 9 recites that the power supply of the first terminal includes a battery.

Claim 10 recites that the base station includes an indicator which activates when the detector detects said power failure, and claim 11 recites that the indicator is an LED.

None of the features recited in claims 6-10 are taught or suggested by Muller, whether taken alone or in combination with the other references of record.

Claim 12 recites a method for controlling a communications system. This method includes detecting a failure of power to a base station, connecting a power supply of a first terminal to the base station in response to the detecting step, and managing communications between a second terminal and the base station while the base station receives power from the power supply of the first terminal.

Claim 13 recites that at least one of the first terminal and the second terminal is a wireless terminal.

Claim 14 recites that the first terminal and the second terminal are wireless terminals.

Claim 15 recites that the power supply of the first terminal includes a battery.

Claim 16 recites the further step of activating an indicator on the base station in response to the detecting step, and claim 17 recites that the indicator is an LED.

None of the features recited in claims 11-17 are taught or suggested by Muller, whether taken alone or in combination with the other references of record.

Reconsideration and withdrawal of all the rejections and objections made by the Examiner is hereby respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is respectfully requested.

Should the Examiner believe that further amendments are necessary to place the application in condition for allowance, or if the Examiner believes that a personal interview would be advantageous in order to more expeditiously resolve any remaining issues, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in fees due in connection with this application, including extension of time fees, to Deposit Account No. 16-0607 (Attorney Docket No. P-0097) and credit any excess fees to the same Deposit Account.

Respectfully submitted,



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